

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Attorneys for Secured Creditor

RoundPoint Mortgage Servicing Corporation



Order Filed on January 2, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:

Edward J. Malnak,

Debtor.

Case No.: 17-16588 MBK

Adv. No.:

Hearing Date: 12/11/18 @ 9:00 a.m.

Judge: Michael B. Kaplan

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: January 2, 2019

A handwritten signature in black ink, reading "Michael B. Kaplan".

Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtor: Edward J. Malnak

Case No: 17-16588 MBK

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, RoundPoint Mortgage Servicing Corporation, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 1038 Deerhaven Terrace, Stewartsville, NJ, 08886, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Andrew B. Greenberg, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of December 14, 2018, Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due September 2018 through December 2018 for a total post-petition default of \$4,085.54 (4 @ \$1,189.06 less \$670.70 in suspense); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$4,085.54 will be paid by Debtor remitting \$680.92 per month for five months and \$680.94 for one month in addition to the regular monthly mortgage payment, which additional payments shall begin on January 1, 2019 and continue for a period of six months until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume January 1, 2019, directly to Secured Creditor's servicer, RoundPoint Mortgage Servicing Corporation., P.O. Box 19409, Charlotte, NJ 28219-9409 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan; and

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Debtor: Edward J. Malnak

Case No: 17-16588 MBK

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief
is hereby resolved.

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Edward J. Malnak
Debtor

Case No. 17-16588-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Jan 02, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 04, 2019.

db +Edward J. Malnak, 1038 Deerhaven Terrace, Stewartsville, NJ 08886-2919

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 04, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 2, 2019 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Andrew G. Greenberg on behalf of Debtor Edward J. Malnak a.greenberglawfirm@verizon.net
Denise E. Carlon on behalf of Creditor ROUNDPOINT MORTGAGE SERVICING CORPORATION
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Rebecca Ann Solarz on behalf of Creditor ROUNDPOINT MORTGAGE SERVICING CORPORATION
rsolarz@kmlawgroup.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5